

NORTHERN TERRITORY OF AUSTRALIA
KAVA MANAGEMENT AMENDMENT ACT (NO. 2) 1999

No. 66 of 1999

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NORTHERN TERRITORY OF AUSTRALIA

No. 66 of 1999

AN ACT

to amend the *Kava Management Act* consequential on the enactment of the
Northern Territory Licensing Commission Act

[Assented to 17 December 1999]

[Second reading 14 October 1999]

The Legislative Assembly of the Northern Territory enacts as follows:

1. Short title

This Act may be cited as the *Kava Management Amendment Act*
(No. 2) 1999.

2. Commencement

This Act comes into operation on the day on which, but immediately
after, the *Northern Territory Licensing Commission Act 1999* commences.

3. Principal Act

The *Kava Management Act* is in this Act referred to as the Principal Act.

4. Interpretation

Section 3 of the Principal Act is amended —

- (a) by omitting from subsection (1) the definition of "Chairman" and
substituting the following:

" 'Chairperson' means —

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- (a) the Chairperson appointed under section 6 of the *Northern Territory Licensing Commission Act*; or
 - (b) a person appointed to act as the Chairperson under section 8 of that Act while acting as the Chairperson;";
- (b) by omitting from subsection (1) the definition of "Commission" and substituting the following:
- "'Commission' means the Northern Territory Licensing Commission established by section 4 of the *Northern Territory Licensing Commission Act*";
- (c) by inserting in subsection (1) after the definition of "cultivate" the following:
- "'Director' means –
- (a) the Director of Licensing appointed under section 22(1) of the *Northern Territory Licensing Commission Act*; or
 - (b) a person appointed to act as the Director of Licensing under section 22(2) of that Act while acting as the Director;"; and
- (d) by omitting from subsection (1) the definition of "Registrar".

5. Further amendments

The Principal Act is amended as set out in the Schedule.

6. Savings

(1) In this section –

"Northern Territory Licensing Commission" means the Northern Territory Licensing Commission established by section 4 of the *Northern Territory Licensing Commission Act*;

"Principal Act" means the *Kava Management Act* as in force immediately before the commencement of this Act.

(2) On the commencement of this Act, all references to –

- (a) the Liquor Commission;
- (b) the Chairman of the Liquor Commission; or
- (c) the Registrar of Liquor Licences,

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in the Principal Act or any instrument of legislative or administrative character made under the Principal Act or in any contract, arrangement, security, licence, permit, bank account, instrument, register, notice, court document, decision, communication or other document made, entered into, granted, issued, served, sent or given before the commencement of this Act in relation to the administration of the Principal Act are, unless the context otherwise requires, to be read as, and have effect as if, references to—

- (d) the Northern Territory Licensing Commission;
- (e) the Chairperson of the Northern Territory Licensing Commission;
- (f) the Director of Licensing within the meaning of the *Northern Territory Licensing Commission Act*,

as the case requires.

- (3) On the commencement of this Act —
 - (a) all matters, proceedings, investigations or remedies arising or in process under the Principal Act by, for, against or in respect of the Liquor Commission before that commencement may be instituted, continued or enforced by, for, against or in respect of the Northern Territory Licensing Commission in the same manner as if this Act had not commenced; and
 - (b) any other act, matter or thing done, omitted to be done or in process under the Principal Act before that commencement by, to, before or in respect of the Liquor Commission is to have force or effect or be continued as if it has been done or omitted to be done or in process by, before, to or in respect of the Northern Territory Licensing Commission in the same manner as if this Act had not commenced.
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SCHEDULE

Section 5

Provision	Amendment	
	omit	substitute
Section 6(3)	"Chairman and Registrar"	"Chairperson and Director"
Sections 7(1) and (2), 11(3) and (4), 28(2)(c) and 37(1)	"Chairman"	"Chairperson"
Section 45	"Chairman" (twice occurring)	"Chairperson"
Heading to Division 1 of Part 6	" <i>Chairman</i> "	" <i>Chairperson</i> "
Sections 46 and 47	"Chairman"	"Chairperson"
Section 49(1)	"Chairman" (wherever occurring)	"Chairperson"
Sections 49(3), 50(2), 51(2)(a) and 52(1)	"Chairman"	"Chairperson"
Sections 60(3), 61(3) and 62(2)(c)	"Registrar"	"Director"
Section 62(3)	"Registrar" (twice occurring)	"Director"
Sections 63(3), 64(1), 64(3)(b)(ii), 64(6)(b), 65(2)(a), 65(3)(b), 65(5)(b), 67(b), 68(1), 71(1) and 73(2)(c)	"Registrar"	"Director"
Section 73(3)	"Registrar" (twice occurring)	"Director"
Section 74(1)(a) and (2)	"Registrar"	"Director"

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Section 77(1)	"Registrar" (twice occurring)	"Director"
Section 77(2)	"Registrar" (wherever occurring)	"Director"
	"Chairman"	"Chairperson"
Section 77(3)	"Registrar"	"Director"
Section 81	"Chairman"	"Chairperson"

ALTERATION TO SECTION HEADING

On the day on which the *Kava Management Act* is amended by this Act, the heading to section 6 of the *Kava Management Act* is altered by omitting the whole heading and substituting "**Functions of Commission, Chairperson and Director**".